

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SEATTLE, WASHINGTON 98168

In the matter of the petition of

TRANS WORLD AIRLINES, INC.

Regulatory Docket No. 26052

for an exemption from § 25.1303(c)(1)
of the Federal Aviation Regulations

GRANT OF EXEMPTION

By letter dated October 13, 1989, Mr. J. B. Miller, Director, Government and Industry Liaison, Trans World Airlines, Inc., P. O. Box 20126, Room 1-440, Kansas City, Missouri 64195, petitioned for an exemption from § 25.1303(c)(1) of the Federal Aviation Regulations (FAR) to permit operation of two U.S. registered Lockheed L-1011-385-1-15 airplanes, Serial Numbers 193U-1201 and 193U-1203, with an overspeed warning tolerance 6 knots greater than allowed by the FAR. The petitioner requested the time period for this exemption be indefinite. The petitioner also requested a summary of this petition not be published in the Federal Register for public comment since this Petition for Exemption and the substantive reasons presented are very similar to those for Exemption No. 3084B, issued to the Lockheed-California Company on December 13, 1984, and Exemption No. 4937, issued to TWA on June 1, 1988.

Section of the FAR affected:

Section 25.1303(c)(1) provides, in pertinent part, that the speed warning device for turbine-powered airplanes must give the pilots effective aural warning when the speed exceeds the maximum operating limit speed (V_{mo}) by 6 knots and that the production tolerance may not exceed the prescribed warning speed.

The petitioner's supportive information is as follows:

1. "TWA has entered into a contract with Gulf Air Company G.S.A. of Bahrain to operate an interchange of L-1011 equipment on flights from Bahrain to New York. Gulf Air operates the flights from Bahrain to London. TWA currently operates the flights from London

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- to New York and back to London, utilizing six Gulf Air Company L-1011 aircraft. Exemption No. 4937 was issued to TWA for operation of these aircraft which are under Oman registry. These six aircraft are equipped with the same overspeed warning system as that installed on the two U.S. registered aircraft, which are the subject of this petition.
2. "TWA now intends to enter into an amended contract with Gulf Air to operate two additional L-1011-385-1-15 aircraft, Serial Numbers 193U-1201 and 193U-1203, under the same interchange agreement. As noted above, these two aircraft are U.S. registered.
 3. "The FAA has granted Exemption No. 3084B to the Lockheed-California Company under Docket No. 20406 that amended the Type Certification of Lockheed L-1011-385-1-15 [Section 25.1303(c)(1) for S/N 193U-1201 and 193U-1203] aircraft that are being operated by Gulf Air Company. Exemption No. 3084B permits Gulf Air to operate these two U.S. registered aircraft with the same airspeed warning system as that installed on the other six aircraft.
 4. "The V_{mo} for the existing Gulf Air L-1011 fleet is 375 knots but the tolerance ranges from +3 to +12 knots in accordance with CAA requirements rather than the +6 knots of the FAR. The lower limit of +3 knots guards against nuisance warning at V_{mo} or below which could otherwise degrade flight crew confidence of the warning and lead to its being disregarded. This increased tolerance would not be apparent between Sea Level and 8,000 feet because of the bird strike speed limitation of 313 knots. We believe this exemption will result in an equivalent level of safety since the Overspeed Warning System utilizes the U.K. CAA specifications.
 5. "The Gulf Air L-1011-385-1-15 airplanes have been operating utilizing the present overspeed warning system without any adverse effect on safety. In order to maintain the highest level of safety, TWA flight and ground crews have been trained to operate the airplane in accordance with Gulf Air procedures.
 6. "TWA believes it is in the public's best interest to grant this exemption because it provides a direct route from the U.S. to the Middle East via London and also would benefit the U.S. balance of payment without any degradation in safety or airworthiness."

Because this petition for exemption is based on identical considerations to those for which Exemption No. 3084B and Exemption No. 4937 have already been granted, good and adequate cause exists for not publishing a summary of this petition in the Federal Register.

The FAA's analysis/summary is as follows:

The FAA is aware that the L-1011 airplanes have been operated by Gulf Air using a different overspeed warning tolerance than that used by U.S. operators of L-1011 airplanes and agrees that the Gulf Air L-1011 airplanes have been operated by Gulf Air without any adverse effect on safety.

The request for granting the exemption without a time constraint for the use of these airplanes by Gulf Air is considered reasonable. A fixed time exemption is not necessary considering that the exemption will cease upon termination of the contract with Gulf Air. In addition, there will be an economic benefit by not requiring processing of future petitions for extension of this exemption.

In consideration of the foregoing, I find that a grant of exemption is in the public interest and will not affect the level of safety provided by the regulations. Therefore, pursuant to the authority contained in §§ 313(a) and 601(c) of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), Trans World Airlines, Inc. is granted an exemption from § 25.1303(c)(1) of the FAR to the extent necessary to permit the operation of the specified Lockheed Model L-1011-385-1-15 airplanes with an overspeed warning maximum tolerance 6 knots greater than allowed by the FAR. This exemption is subject to the following conditions:

1. It is only valid for those airplanes with Serial Numbers 193U-1201 and 193U-1203.
2. A copy of this exemption must be carried onboard the affected airplanes with their airworthiness certificates. This exemption is only valid for airplanes being operated by TWA with crews trained in the specific configuration.

This exemption will cease upon termination of the contract between TWA and Gulf Air, unless sooner superseded or rescinded by the Federal Aviation Administration.

Issued in Seattle, Washington, on November 17, 1989.

/s/ Leroy A. Keith
Manager, Transport Airplane Directorate
Aircraft Certification Service

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